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SUBJECT: SINGAPORE TO EXECUTE AUSTRALIAN DRUG TRAFFICKER

REF: SINGAPORE 367

11. (SBU) Summary: On Friday, December 2, Singapore will execute Australian citizen Nguyen Tuong Van for heroin smuggling. Local media have covered the many different pleas for clemency from Australia as well as criticism of Singapore's tough punishments. At the same time, the media have relayed the GOS's rationale for mandatory imposition of the death penalty in certain drug trafficking cases and the need to avoid a "double standard" for foreigners. The GOA's low-key approach for clemency has failed, but a more strident approach toward the GOS would have both failed and soured relations. End Summary.

Sentence Is Death

12. (U) Singapore arrested Australian Nguyen Tuong Van in December 2002 at Changi Airport on his way to Melbourne from Cambodia. He had approximately 396 grams of heroin in his possession, reportedly enough for 26,000 street doses. He was convicted on March 20, 2004, and given the death sentence, mandatory for trafficking heroin over 15 grams. Nguyen has not contested his guilt or the facts of the case.

GOA's Low-Key Approach

13. (SBU) The GOA has appealed quietly and behind closed doors for clemency. The Australian High Commission Political Counselor told us the GOA approach emphasized that, while Australia did not take issue with Singapore's use of the death penalty, compelling facts called for mitigation in the Nguyen case. The GOA raised the issue when Nguyen was first arrested in December 2002 by trying--unsuccessfully--to get the charge reduced. Prime Minister Howard also raised the Nguyen case when he visited Singapore in January 2005 (Reftel). The GOA most recently helped facilitate a contact meeting between Nguyen and his mother, who had requested that the GOS allow her to hug her son before his execution. The GOS agreed to allow them to hold hands. The Pol Counselor stated that, while both the GOA and the GOS have been careful not to let the Nguyen case affect bilateral relations, there is a personal dimension to the case that most Australians feel, and Australian media coverage reflects this.

GOS Won't Budge

14. (SBU) Prime Minister Lee has praised Prime Minister Howard for avoiding "megaphone diplomacy" and for raising the issue in "an effective but non-confrontational way." The government-linked Straits Times has carried many articles and letters from Singaporeans and Australians arguing both sides of the issue. The GOA's pleas for clemency, however, have fallen on deaf ears. President Nathan noted to the Charge that a foreign government's request for clemency when delivered via the media leaves the GOS no option but to stand firm.

15. (U) PM Lee has argued Singapore must take a firm stand against drug trafficking--using the death penalty--to protect its citizens from drug abuse and ensure that Singapore does not become a transit center. He noted that the law is applied equally, both to Singaporeans and to foreigners. (Note: On May 13, Singaporean Shanmugam Murugesu was executed for importing one kilogram of cannabis. End Note.)

Singapore Public Opinion

16. (U) Singapore public opposition to the death penalty appears to be limited. On November 7, a local NGO, the Think Centre, organized a forum and vigil for Nguyen, which approximately 100 people attended. Opposition figure Dr. Chee Soon Juan spoke at the vigil and argued for abolition of the death penalty. The Think Centre has also campaigned for a moratorium on the death penalty in drug cases.

17. (SBU) Comment: The GOS is proud of its tough law-and-order reputation, and no amount of public outcry in Australia would have changed its position in this case. While execution of a foreigner is rare, the GOS doesn't want to create the impression of a double standard. Public debate of

the appropriateness of the death penalty for drug cases will
continue in the usual muted fashion. End Comment.
HERBOLD